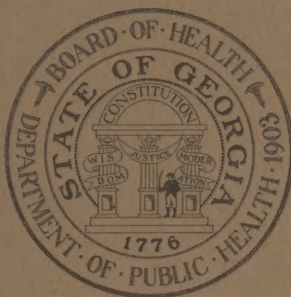
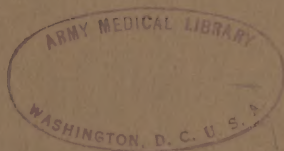


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GEORGIA HEALTH LAWS PASSED 1945



Georgia. Laws, statutes, etc.



STATE OF GEORGIA
Department of Public Health
ATLANTA

AP 10,807-B

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BIRTH CERTIFICATES OF ADOPTED CHILDREN

Act No. 76

An Act to amend an Act of the General Assembly approved March 27, 1941 (Georgia Laws 1941, pages 300, et seq), as amended by an Act approved March 20, 1943 (Georgia Laws 1943, pages 420 and 421), by adding a provision that the adopting parents of a child adopted prior to said Act of 1941 may obtain a birth certificate for such adopted child in the same manner as provided in said Act and the Act amendatory thereof; and for other purposes.

Be it enacted by the General Assembly of Georgia that Section Fourteen (14) of the Act of the General Assembly approved March 27, 1941 (Georgia Laws 1941, pages 300, et seq), as amended by an Act approved March 20, 1943 (Georgia Laws 1943, pages 420 and 421), be further amended by adding thereto a new subsection to be numbered Three (3), said new subsection, when enacted, to read as follows:

"3. The parents by adoption of a child adopted under the Laws of Georgia in force prior to March 27, 1941 may, at any time, upon written request, obtain a birth certificate for such child in the same manner and form and subject to the same provisions set forth in subsection Two (2), the duties of the Clerk and Registrar, and the form of the birth certificate to be issued being the same as provided in said subsection Two (2). The Clerk and the Registrar shall be authorized to collect their usual costs for furnishing the certified copies and birth certificates."

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Approved February 12, 1945.

EXPANDED HEALTH PROGRAM

No. 27

A RESOLUTION

Whereas, One of Georgia's greatest needs is an expanded, serviceable, and intensive health program designed to eradicate disease, improve health conditions, accentuate the importance of health work,

the economic value of good health, and the economic liability of poor health; and

Whereas, The State Board of Health, the Director of the State Department of Public Health, the State Department of Public Health and the Health Panel of the State Development Board have worked tirelessly in the advocacy and improvement of public health work in Georgia; and

Whereas, The medical profession, the hospitals, public and private, the nurses, technicians and scientists have labored and are laboring constantly in devoting their time, energies and talents to the improvement of the health of our people and the eradication of disease; and

Whereas, The United States Public Health Service has cooperated with and is assisting the State Department of Public Health in its work designed to build up the health of our people, and;

Whereas, Economically, a sick person is never a full income producing citizen and Georgia by reason of the poor health of some of our people is not utilizing its full economic human potentialities; and

Whereas, A health program in our schools and colleges is and should be a part and parcel of a program of education—health and education being of the greatest possible value to our people; and

Whereas, The General Assembly and the State Administration recognize the importance of health work and the debt of gratitude the people owe to those engaged in public and private health and hospital work:

Be It Therefore Resolved by the House of Representatives, the Senate Concurring, That:

(1) The State Administration be and it is hereby committed to promoting and making possible a more expanded, more serviceable and more intensive health program in this State.

(2) The State Board of Health, the State Director of Public Health, the State Department of Public Health, the Health Panel of the State Development Board, the medical profession, the hospitals, public and private, the nurses, technicians, scientists, field workers, local health departments, and the United States Public Health Service be and there are hereby commended for the important part each is playing in improving health conditions in Georgia.

(3) That the General Assembly and the State Administration

recognize the economic importance of good health and an expanded health program.

(4) That a health program be carried out in all our schools and colleges.

(5) That the State Board of Health is designated and authorized to become the channeling agent on behalf of the State for such health funds as may be made available by the Federal Government.

(6) The State Board of Health shall expend all funds received from the Federal Government or by appropriation from the State of Georgia, or by donation in conformity with law. In the expenditure of such funds the State Board of Health shall have the authority to prescribe the purposes for which such funds may be used.

(7) The State Board of Health shall make periodic reports to the people of Georgia and the General Assembly as to how health conditions in this State may be better improved and advanced.

(8) The State Department of Health and the State Board of Health shall cooperate with all health agencies, hospitals, medical centers, maternity homes, nursing homes and other such institutions in the advancement of health work in Georgia.

(9) The State Board of Health is directed to cooperate with county and local health departments and to assist them in all proper ways to bring about a more expanded and more serviceable health program.

(10) The State Department of Health and the State Board of Health are directed to give special attention to the possibility of constructing additional tubercular hospitals and to give special attention to a consideration of the control and treatment of tuberculosis.

(11) The said State Board of Health shall make plans and undertake to effectually supply health service to various counties of this State and to cooperate with local communities, counties, districts, and regions in the matter of constructing and assisting the said units in the maintenance and operation of hospitals and health centers.

(12) The said State Department of Health and Board of Health shall cooperate with private hospitals and agencies which are engaged in the improvement of the health of the people of Georgia.

(13) The State Board of Health shall provide for a State Advisory Council on health work which shall include representatives of non-governmental organizations or groups and all State and local agencies concerned with the operation, construction, or utilization of hospitals

and hospital facilities. The said Advisory Council shall diligently undertake to obtain all possible available Federal funds for health work in Georgia and shall make recommendations to the General Assembly through the State Board of Health as to how Georgia may best serve the interest of the people through expanded health services.

(14) That a copy of this resolution be dispatched to the Surgeon General of the United States in appreciation of the very fine work being rendered the people of Georgia by the United States Public Health Service and by the Surgeon General.

Approvd March 8, 1945.

EVIDENCE OF DEATH WHILE IN ARMED SERVICES

Act No. 384

An Act to provide for the receiving as evidence in any court, office, or other place in this State, official findings, records, reports, or certified copies thereof, of death, presumed death, missing or other status, issued by the Secretaries of War and Navy and other Federal Officers and employees; so as to conform to the Federal Missing Persons Act, (56 Stat. 143, 1092 and P. L. 408, Ch., 371, 2nd Sess. 78th Congress; 50 U. S. C., App. Supp. 1001-17), as now or hereafter amended; to provide that any finding, report or record, or duly certified copy thereof, purporting to have been signed by an officer or employee of the United States, shall prima facie be deemed to have been signed and issued pursuant to law, and that such person shall be deemed to have acted within the scope of his authority; to repeal any and all conflicting laws; and for other purposes."

Section 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, that from and after the passage of this Act, a written finding of presumed death, made by the Secretary of War, The Secretary of the Navy, or other officers or employees of the United States authorized to make such findings, pursuant to the Federal Missing Persons Act (56 Stat. 143, 1092, and P. L. 408, Ch. 371, 2nd Sess. 78th Congress; 50 U. S. C. App. Supp. 1001-17), is now or hereafter amended, or a duly certified copy of such finding, shall be received in any Court, office or other place in this State as evidence of the death of the person therein found to be dead, and the date, circumstances and place of his disappearance.

RULE AND REGULATION PROHIBITING THE SALE OF CERTAIN TYPES OF RAT POISON

Under authority given the State Board of Health in Sections 88-112 and 88-117 of the Georgia Code of 1933 the following rule and regulation is hereby adopted to protect the lives and health of human beings as follows:

On and after this date the sale or distribution or offering for sale or distribution within the State of Georgia of any preparation containing live organisms that are recognized to be pathogenic or dangerous to the health of human beings is prohibited for the purpose of exterminating rats or other rodents or animals or for purposes other than use in scientific research as approved by the Director, Georgia Department of Public Health.

Adopted by the State Board of Health on January 11, 1945.

Section 2. Be it further enacted by the authority of the same, that an official written report or record, or duly certified copy thereof, that a person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy, or is dead, or is alive, made by an officer or employee of the United States authorized by the Act referred to in Section 1, or by any other law of the United States to make the same, shall be received in any Court, office or other place in this State, as evidence that such person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy or is dead, or is alive as the case may be.

Section 3. Be it further enacted by the authority aforesaid, that for the purposes of Section 1 and Section 2 of this Act, any finding, report or record, or duly certified copy thereof, purporting to have been signed by such an officer or employee of the United States as is described in said Sections, shall prima-facie be deemed to have been signed and issued by such an officer or employee pursuant to law, and the person signing same shall prima-facie be deemed to have acted within the scope of his authority. If a copy purports to have been certified by a person authorized by law to certify the same, such certified copy shall be prima facie evidence of his authority so to certify.

Section 4. Be it further enacted by the authority aforesaid, that if any provision of this Act or the application thereof to any person or circumstance be held invalid, such invalidity shall not affect any other provision or application of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 5. Be it further enacted by the authority aforesaid, that all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

Approved March 9, 1945.

GARBAGE DISPOSAL

Act No. 334

An Act to amend Chapter 26-81 of the Code, same being entitled "Acts of Malicious Mischief," by adding a new Section thereto to be

known as Section 26-8117 providing that it shall be a misdemeanor for any person to empty trash, rubbish, etc., wilfully on the right-of-way of any public highway, etc.; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. That Chapter 26-81 of the Code, same being entitled "Acts of Malicious Mischief," be amended by adding a new Section thereto to be known as Section 26-8117, and to read as follows:

Any person, firm or corporation who shall wilfully empty, dump, or otherwise place, any trash, tin cans, garbage, rubbish, dead animals, or other discarded materials upon the right-of-way of any public road, State aid road, State highway, or upon the lands of another without first having obtained his permission, shall be guilty of a misdemeanor.

Section 2. That all laws or parts of laws in conflict with the provisions of this Act are hereby repealed.
Approved March 8, 1945.

OCCUPATIONAL DISEASES

Act No. 437

An Act to amend an Act approved March 25, 1937, entitled an act to provide for the establishment of a Department of Labor, and for other purposes, by transferring to the Commissioner of Labor the duty of making rules, or changing rules, for the purpose of preventing accidents and occupational disease in employment and places of employment in this state; and for other purposes.

Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same.

Section 1. Section 9 of an act of the General Assembly of Georgia approved March 25, 1937 (Acts of 1937, pp. 230, et. seq.) is amended by striking subsection d in its entirety and inserting in lieu thereof another subsection, to be designated subsection d, and to read as follows:

"(d) To make and promulgate such rules, or changes in rules, as he may deem advisable for the prevention of accidents or

the prevention of industrial or occupational diseases in every employment or place of employment, and such rule, or changes in rules, for the construction, repair and maintenance of places of employment, places of public assembly, and public buildings as he may deem advisable to render them safe. The Commissioner may appoint committees composed of employers, employees and experts to suggest rules or changes therein."

Section 2. Section 11 of said act approved March 25th, 1937, is amended by striking therefrom the words "Industrial Board" wherever the same occur, and substituting in lieu thereof the words "Commissioner of Labor," so that said section, when amended, will read as follows:

"Section 11. **Public Hearings on Proposed Rules.** Before any rule is adopted, amended or repealed, there shall be a public hearing thereon, notice of which shall be published at least once not less than ten days prior to such hearing in such newspaper or newspapers as the Commissioner of Labor may prescribe."

Section 3. Section 12 of said act approved March 25, 1937, is amended by striking the word "Board" wherever the same occurs in said section and inserting in lieu thereof the words "Commissioner of Labor," so that said section, when amended, shall read as follows:

"Section 12. **Effective Date of Rules; Publication.** (a) The rules and all amendments and repeals thereof shall unless otherwise prescribed by the Commissioner of Labor, take effect twenty days after the first publication thereof and certified copies thereof shall be filed in the office of the Secretary of State.

"(b) Every rule adopted and every amendment or repeal thereof shall be published in such manner as the Commissioner of Labor may determine and the Commissioner of Labor shall deliver a copy to every person making application therefor. The Commissioner of Labor shall include the text of such rule, or amendment thereto, in an appendix to the annual report of the Department of Labor next following the adoption or amendment of such rule."

Section 4. Section 13 of said act approved March 25, 1937, is amended by striking the words "Industrial Board" wherever they occur, and by inserting in lieu thereof the words "Commissioner of

Labor"; and by striking the word "Board" wherever the same occurs and inserting in lieu thereof the word "Commissioner," so that said section, when amended, will read as follows:

"Section 13. **Variations.** If there shall be practical difficulties or unnecessary hardships in carrying out a rule of the Commissioner of Labor, the Commissioner, after public hearing, may make a variation from such requirements if the spirit of the rule and law shall be observed. Any person affected by such rule, or his agent, may petition the Commissioner for such variation stating the grounds therefor. The Commissioner shall fix a day for the hearing on such petition and give reasonable notice thereof to the petitioner. A properly kept indexed of all variations shall be kept in the office of the Department of Labor and open to public inspection."

Section 5. Section 14 of said act approved March 25, 1937, is amended by striking the word "Board" wherever the same occurs and inserting in lieu thereof the words "Commissioner of Labor," so that said section, when amended, will read as follows:

"Section 14. **Petition and Hearing.** (a) Any person in interest, or his authorized agent may petition the Commissioner of Labor for a review of the validity or reasonableness of any rule made under the provisions of this act.

"(b) The petition shall be verified, shall be filed with the Commissioner of Labor and shall state the rule proposed to be reviewed and in what respect it is claimed to be invalid or unreasonable. The Commissioner of Labor may join in one proceeding all petitions alleging invalidity or unreasonableness of substantially similar rules. The filing of such petition shall operate to stay all proceedings under such rule until the determination of such review.

"(c) The Commissioner of Labor shall order a hearing if necessary to determine the issue raised, or if the issues have been considered in a prior proceeding, the Commissioner of Labor, without hearing, may confirm his previous determination. Notice of the time and place of hearing shall be given to the petitioner and to such other persons as the Commissioner of Labor may determine.

"(d) If the Commissioner of Labor finds that the rule is invalid, or unreasonable, he shall revoke or amend the same."

Section 6. Section 15 of the said act approved March 25, 1937,

is amended by striking therefrom the word "Board" wherever the same occurs and inserting in lieu thereof the words "Commissioner of Labor"; by striking therefrom the words "Department of Labor" wherever the same occur and inserting in lieu thereof the words "Commissioner of Labor", so that said section, when amended, will read as follows:

"Section 15. Review of Rules. (a) Any employer, owner, or other person in interest being dissatisfied with any rule of the Commissioner of Labor may commence an action in the Superior Court of the county wherein such employer, owner, or other person in interest resides, or has his principal place of business, against the Commissioner of Labor as defendant to enjoin and set aside any such rule on the ground that the rule is unlawful, or that any such rule is unreasonable, in which action the defendant shall be served with a copy of the complaint. Service of the complaint may be made by serving a copy of a second original by the sheriff, or any deputy sheriff of any county wherein the Commissioner of Labor may be found."

Section 7. Be it enacted by the authority aforesaid that all laws and parts of laws in conflict herewith are hereby repealed.

Approved March 9, 1945.

OYSTERS: TO REGULATE COLLECTION OF OYSTERS

Act No. 238

An Act to provide for and require a permit for oyster gatherers; to provide that the permit shall be in form of a chart, dated, shall show name of individual and company for which he works, and number of the State Health Certificate, the areas from which oysters can and can not be taken; to provide for a master chart and its filing; to require the holder of the permit to carry same while engaged in commercial collection of oysters from bed; to provide for a duplicate permit and the filing of same; to provide that the permit shall be issued free of charge; to make it a misdemeanor for any person to engage in collection of oysters for commercial purposes without having with him his permit at time of collecting oysters, or to collect oysters from polluted areas or sources; or from areas or sources other than shown as authorized by chart or permit; to fix punishment for

violation; to provide and set up exceptions; and for other purposes.

Be it enacted by the General Assembly of Georgia and it is hereby enacted by authority of same.

Section 1. Each and every commercial fisherman shall, each year prior to engaging in commercial oyster gathering, obtain an oyster collector's permit from the office of the Supervisor of Coastal Fisheries of the State Game and Fish Commission. The permit shall be in the form of a chart to which is attached or affixed the date, the name of the individual, the company for which the individual is working, and the number of the State Health Certificate. The chart shall show the areas from which oysters can not be taken because of pollution as determined by the State Department of Public Health. A master chart showing the pollution zone shall be kept on file at the office of the Supervisor of Coastal Fisheries. The chart shall also show the areas from which the applicant may obtain oysters by virtue of demonstrated authority:

1. Lease of State owned lands.
2. Ownership of lands or authorized agent for owner.
3. Lease of lands from land owners.
4. Permit from Coastal Fisheries Office to remove oysters from natural oyster beds on unleased State lands.

A duplicate oysters collectors permit, with chart, shall be filed with the Coastal Fisheries Office of the State Game and Fish Commission.

Section 2. The permits provided for in Section 1 shall be furnished by the office of the Coastal Fisheries free of charge. The Coastal Fisheries Office shall furnish sufficient charts covering the areas of operations to cover needs. These charts shall be recent U. S. Coast and Geodetic Survey charts or accurate facsimiles of same.

Section 3. Every person while engaged in commercial oyster collection from oyster beds shall carry with him the permit issued under the terms of this Act, and it shall be unlawful for any person to engage in oyster collection for commercial purposes, without first having with him the permit to do so. It shall also be unlawful for any person to collect, or engage in collecting, oysters from any polluted areas or sources, or from any areas or sources other than shown as authorized for use by the permit granted to him. The violation, by any person, of the terms of this Act shall be punished as for a misdemeanor.

Section 4. Nothing in this Act shall prohibit an individual from taking not to exceed two bushels per day for his own use when authorized to do so by written permission of the land owner, which written permission shall be in the possession of the person so taking same.

Section 5. That all laws and parts of law in conflict herewith be, and the same are, hereby repealed.
Approved March 6, 1945.

OYSTERS: TO REGULATE SHIPMENT OF OYSTERS

Act No. 177

An Act to amend an Act entitled an Act to regulate and control the sanitation of oysters and oyster beds, planting and re-planting, growing, collection or gathering of oysters in the State of Georgia; etc., approved March 4, 1943 (Acts 1943, pp. 543-547) by adding thereto a new Section to be appropriately numbered and to provide a manner and method of handling and shipping of oysters in the shell, and for the protection of land owners and commercial fishermen engaged in the oyster industry; to make the violation of this amendment a misdemeanor and prescribe its punishment; and for other purposes.

Be it enacted by the General Assembly of Georgia and it is hereby enacted by authority of same.

Section 1. That each and every person, firm or corporation handling or shipping oysters in the shell, in addition to the requirements set forth in the Act hereby amended, shall when shipping oysters in the shell, ship them in clean containers in either barrels, bags, crates or baskets. To each such barrel, bag, crate or basket there shall be attached a tag obtained from the Coastal Fisheries Office, which tag shall be furnished free of cost, which tag shall indicate the source, date of gathering; name and address of consignee, kind of shell stock in container, name of shipper and State Public Health Certificate number. There shall be attached to the reverse side of the tag occupational oyster stamps in a sufficient number showing that the tax as required by Section 2 of the Act of 1943, which act is hereby amended, has been fully paid.

Section 2. Each and every person, firm or corporation who shall fail to ship or handle oysters in shell stock in clean containers, in

either barrels, bags, crates or baskets, or shall fail to attach thereto the tag containing the information called for in Section 1 of this Act shall be guilty of a misdemeanor and shall be punished as for a misdemeanor.

Section 3. That all laws and parts of laws in conflict herewith be, and the same are, repealed.

Approved March 3, 1945.

PUBLIC EATING PLACES, ETC. — COUNTY PERMIT REQUIRED

Act. No. 431

An Act to amend an Act approved March 29, 1937 (Ga. L. 1937, p. 624), entitled "An Act to provide that no person, firm, or corporation shall establish, maintain, or operate any public dance-hall, boxing or wrestling arena or amusement place, tourist-camps and barbecue stand, for money or profit outside the limits of incorporated towns or cities in any county in this State having a population of 3,000 or more, according to the last or any future Federal census, without first obtaining the permission of the commissioners of roads and revenues or other authority in charge of such counties; etc.; and for other purposes," by adding after the words "barbecue stands" in the 6th line of Section 1 of said Act the words "restaurant, cafe, trailer-park or other public eating house (boarding houses excluded)"; public taxi-cabs; and for other purposes.

Be it enacted by the General Assembly of Georgia and is hereby enacted by authority of the same:

Section 1. That the Act approved March 29, 1937 (Ga. L. 1937, p. 624) entitled "An Act to provide that no person, firm, or corporation shall establish, maintain, or operate any public dance-hall, etc., for money or profit outside the limits of incorporated towns or cities in any county in this State having a population of 3,000 or more, according to the last or any future Federal census, without first obtaining the permission of the commissioners of roads and revenues, etc.," be and the same is hereby amended by adding after the words "barbecue stands" in the 6th line of Section 1 of said Act the words "restaurant, cafe, trailer-park or other public eating house (boarding houses excluded), public taxi-cabs, so that said section when so amended, shall read as follows:

Section 1. Be it enacted by the General Assembly of Georgia and it is hereby enacted by authority of the same, That from and after the passage of this Act, no person, firm or corporation shall establish, maintain, or operate any public dance-hall, boxing or wrestling arena amusement place, tourist-camps and barbecue stands, restaurant, cafe, trailer-park or other public eating house (boarding houses excluded), public taxi-cabs, for money or profit, outside the limits of incorporated towns or cities in any county in this State having a population of 3,000 or more, according to the last or any future Federal census, without first obtaining the permission of the commissioners of roads and revenues or other authority in charge of such counties.

Section 2. Such commissioners of roads and revenues or other authority in charge of said counties shall have authority to grant or refuse such permission, or to grant the same for such time and under such regulations as they may deem proper for the public good. Such commissioner of roads and revenue or other authority in charge of said counties shall have authority to levy a license or occupational tax on such persons, firms or corporations included within the provisions of this Act.

Section 3. Any person, firm or corporation establishing, maintaining or operating any such establishment as herein set forth without securing said permission, shall be guilty of a misdemeanor and such establishment shall be subject to be abated as a nuisance.

Section 4. Be it further enacted that all laws and parts of laws in conflict with this measure be and the same are hereby repealed.
Approved March 9, 1945.

RABIES CONTROL

Act No. 406

An Act to require the inoculation of dogs against rabies; to provide for the creation of the office of county rabies inspector; to provide for the issuance of a license or certificate as to such inoculation and the wearing of a tag by all dogs; to provide for the impounding of unlicensed dogs and their disposition: to provide for the confinement of dogs which have been bitten human beings: to provide for the disposition of dogs exposed to rabid animals: to provide for the penalty for any violation of the provisions of this law, and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. Terms Defined. Whenever used in this Act, unless a contrary intention is clearly evident, the following terms shall be interpreted as herein defined: (a) The term "dog" shall mean and include all members of the canine family, three months or more of age, and also pet foxes, wolves, etc. (b) The term "owner" shall mean and include any person having a right of property in the dog, or who keeps or harbors a dog, or who has it in its care, or acts as its custodian, or who permits a dog to remain on or about any premises occupied by him. (c) The term "inoculation against rabies" shall mean the injection, subcutaneously or otherwise as approved by the Georgia Department of Public Health of canine antirabic vaccine, approved by the Georgia Department of Public Health.

Section 2. Enforcement Provision. For the purpose of providing proper enforcement of the provisions of this Act, each County Board of Health is hereby invested with general supervisory powers, and it shall be its duty to appoint, within 90 days after the passage of this Act, and annually thereafter within the first 15 days of January, a licensed veterinarian or other properly qualified person who shall be known as Rabies Inspector. Such inspector may select as many deputy inspectors to aid him as may be necessary. It shall be the duty of the said inspector, under the direction of the County Board of Health, to enforce the provisions of this Act, and to inoculate dogs or have the work done by his deputies; and, for the purpose of enforcing this Act, the said Rabies Inspector and his deputies are clothed with full police power; and the sheriff and his deputies and the police officers in each incorporated municipality shall be aides and are instructed to cooperate with said Inspector in carrying out the provisions of this Act. The compensation of the Inspector and his deputies shall be limited to the fees prescribed in succeeding sections of this Act. The said Rabies Inspector may be removed from office, for cause, by the County Board of Health.

Section 3. Inoculation of Dogs Required. Prior to July 1 of each year, every owner of a dog, not confined at all times to an enclosed area, or on leash, or muzzled, shall cause such dog to be inoculated against rabies by the Rabies Inspector, or by his deputy, or by a competent veterinarian. Evidence of such inoculation shall consist of a certificate signed by the person administering the vaccine. The certificate shall be prepared and furnished free of charge to the Rabies Inspectors by the State Department of Public Health and shall contain such pertinent data as may be prescribed by the State Depart-

ment of Public Health. One copy of the certificate shall be given to the owner, one filed with the County Board of Health, and one retained by the Inspector as a permanent record. The type and brand of manufacture of the rabies vaccine used must be approved by the State Board of Health and may be secured from the State Department of Public Health at prevailing cost price.

Section 4. Dogs to Wear Tags. Coincident with the issuance of the certificate of inoculation, as prescribed in the preceding section, the Rabies Inspector or other person authorized to furnish the certificate shall also furnish a serially numbered tag bearing the same number and year as the certificate bears, which tag shall at all times be attached to a collar or harness worn by the dog for which the certificate and tag have been issued. Tags shall be furnished by the Georgia Department of Public Health to the county rabies inspectors without cost.

Section 5. Inoculation Fee. It is hereby provided that the Rabies Inspector, or other person authorized to inoculate dogs against rabies, may charge for such services a sum not to exceed \$1.00, including the cost of the vaccine.

Section 6. Penalties. On and after July 1, 1945, any dog as defined in Section 1 of this Act found running at large and not wearing the evidence of inoculation as provided herein, and for which no certificate of inoculation can be produced, and which is apprehended by any officer or other person charged with the enforcement of this Act, shall forthwith be subject to a penalty of fifty cents (50c), to be imposed by the Rabies Inspector on the owner of the dog, in addition to the fee heretofore prescribed for inoculation. The said penalty, when collected, shall accrue to the person making the apprehension.

Section 7. Impounding of Unlicensed Dogs. It shall be the duty of each and every county in the State, and of every municipality over 5,000 in which the county pound is not located, to provide a suitable enclosure for the impounding of all dogs found running at large in violation of the provision of this Act. Where dogs are impounded, the Rabies Inspector shall, in some form or manner, give a notice of not less than seven (7) days; and, if the owner thereof is known, such owner shall be given direct notice of the impounding of a dog or dogs belonging to him. If the owner is unknown the Rabies Inspector shall run a notice in the official organ for two weeks, giving a full description of the dog, and if the owner redeems said dog he shall pay the cost of advertisement.

Section 8. Disposition of Dogs Prescribed. All dogs which have been impounded for failure to be inoculated in accordance with the provisions of this Act, due notice of which impounding shall have been given as provided in the preceding section, shall be humanely dispatched and disposed of when not redeemed by the owner within seven (7) days. Where there exists a humane society in any city of the State where the provisions of this Act are applicable, said humane society shall have the privilege of dispatching all unredeemed dogs, should it so elect. In case the owner of any impounded dog desires to make redemption thereof, he may do so on the following conditions: He must pay for the inoculation of the dog, for the board of the dog for the period for which it was impounded, and fifty cents (50c) in addition as a penalty, as prescribed in Section 6. The Rabies Inspector may, at his discretion, sell any dog, not redeemed or claimed or otherwise disposed of, to any purchaser desiring the said dog, but said purchaser must comply with all the provisions of this Act.

Section 9. Confinement of Bitten or Suspected Rabid Dogs Prescribed. The owner of any dog, whether vaccinated or not, which has been bitten by another animal, or which exhibits symptoms of rabies, shall immediately notify the County Health Office or Rabies Inspector, and shall promptly confine such dog, or have it confined, under suitable observation, for a period of at least sixty days, unless officially authorized by the County Health Office or Rabies Inspector, in writing, to release it sooner.

Section 10. Confinement of Dogs Which Have Bitten Human Beings Authorized. Whenever the County Health Office or Rabies Inspector shall receive information that any person has been bitten by a dog, the said County Health Office or Rabies Inspector shall be required to have the said dog confined for a period of seven (7) days. And it shall be unlawful for any person having knowledge that any person has been bitten by a dog to refuse to notify promptly one or more of the officers mentioned in this section. It shall be unlawful for the owner of such dog to refuse or fail to comply with the written recommendations made by the County Health Office or Rabies Inspector, in any particular case, and any expense incurred in the handling of any dog, under this and the preceding section, shall be borne by the owner.

Section 11. General Provisions. Any person violating or aiding in or abetting the violation of any provision of this Act, or counterfeiting or forging any certificate, permit, or tag, or making any misrepresentation in regard to any matter prescribed by this act; or resist-

ing, obstructing, or impeding any authorized officer in enforcing this Act; or refusing to produce for inoculation, any dog in his possession, not confined at all times to an enclosed area, or on leash, or muzzled, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than one nor more than ten dollars, and, for the purpose of enforcing this section, any court of competent jurisdiction shall have jurisdiction in such offenses.

Section 12. If any section, clause, paragraph, or provision of this Act shall be held unconstitutional, such holding shall not affect any part of all the remainder of said Act which is not in itself unconstitutional.

Section 13. Nothing in this Act shall be held to limit in any manner the power of any municipality to prohibit dogs from running at large, whether or not they have been inoculated as herein provided; nor shall anything in this Act be construed to, in any manner, limit the power of any municipality to further control and regulate in such municipality.

Section 14. The County Health Office or the Rabies Inspector or deputy officers or any one enforcing the provisions of this Act shall not be held responsible for any accident or disease that may happen to any dog.

Section 15. The Board of Health of each county is hereby required to make annual report to the State Department of Public Health showing the number of dogs inoculated, fees and penalties collected, and the number of cases of rabies occurring in the respective county.

Section 16. All laws and parts of laws in conflict or inconsistent with the provisions of this Act are hereby expressly repealed.

Approved March 9, 1945.

ROAD HOUSES

Act No. 345

An Act to license and regulate the operation of road houses, cabin camps, tourist camps and public dance halls; to provide for the registration of guests; to provide for inspection by state and county health officers; and to provide penalties for persons operating cabins,

tourist camps, and road houses for immoral purposes or who violate other provisions of this act in restaurants, cafes, or places where food and/or drinks are sold.

Be it enacted by the General Assembly:

Section 1. Every person, firm or corporation engaged in the business of operating outside the corporate limits of any city or town in this State a tourist camp, cabin camp, tourist home, road house, public dance hall, or any other similar establishment by whatever name called, where travelers, transient guest, or other persons are or may be lodged, or operating restaurants, cafes, or places where food and/or drinks are sold to be consumed at said places, shall, before engaging in such business, apply for and obtain from the County Commissioners or the Board of Commissioners of Roads and Revenues or from the Ordinary Sitting for County Purposes (referred to hereafter in this act as County Commissioners) in the county in which such business is to be carried on a license for the privilege of engaging in such business.

Section 2. This Act shall not apply to hotels and inns within the definition of Sections 52-101 and 52-102 of the 1933 Civil Code of Georgia nor to persons who incidental to their principal business or occupation accept from time to time seasonal boarders in their private residences.

Section 3. Every person, firm or corporation making application for license to engage in the business described in Section one of this Act shall make application to the County Commissioners in the county in which such business is to be engaged in and the application shall contain:

- (a) The name and residence of the applicant and the length of the residence within the State of Georgia.
- (b) The address and place for which such license is desired.
- (c) The name of the owner of the premises upon which the business licensed is to be carried on.
- (d) That the applicant intends to carry on the business authorized by the license for himself or under his immediate supervision and direction.
- (e) That such applicant is of good moral character and has never been convicted of felony involving moral turpitude, or adjudged guilty of violating either the State or Federal prohibition laws within the last two years prior to the filing of the application.

Section 4. The application prescribed in Section three of this Act must be verified by the affidavit of the petitioner made before a notary public or other person duly authorized by law to administer oaths. If it appears from the statement of the applicant, or otherwise, that such applicant has been convicted of a felony involving moral turpitude, or adjudged guilty of violating either State or Federal prohibition laws within the last two years prior to the filing of the application, or within two years from the completion of sentence thereon, the license herein provided for shall not be granted, unless it shall appear to the satisfaction of the County Commissioners that the licensed premises will be operated in a lawful manner; in which case they may, in their discretion, issue such license. Before any such license shall be issued, the governing body of the county shall be satisfied that the statements required by Section three are true. Every establishment named in this Act shall be subject to inspection by the State Board of Health and the county health authorities in the county in which such business is carried on.

Section 5. At any time upon request of the Sheriff of the county in which such business is carried on, the operator of every establishment named in this Act shall furnish said Sheriff with a list of all employees who are employed by him in connection with said business; and, in every instance when such an operator goes out of business or there is a change of ownership or management thereof, such operator shall immediately file with the clerk of the County Commissioners of the county in which such business is carried on a notice to this effect, giving the name and address of the purchaser or the new owner or manager thereof.

Section 6. Any person or persons occupying any room or rooms in a tourist camp, cabin camp, tourist home, road house, or any other similar establishment by whatever name called, shall register or cause himself to be registered before occupying the same, and if traveling by motor vehicle shall register at the same time the automobile license tag of such motor vehicle and the manufacturer's name of such motor vehicle, and no person shall write or cause to be written or, if in charge of a register, knowingly permit to be written in any register in any of the establishments herein named by other or a different name or designation than the true name or names in ordinary use of the person registering or causing himself to be registered therein, or the true name of the manufacturer of such motor vehicle or the correct license plate and number thereof. Every person to whom a license is issued under the provisions of

this Act shall provide a permanent register for the purposes set forth herein.

Section 7. Any man or woman found occupying the same room in any establishment within the meaning of this Act for any immoral purpose, or any man or woman falsely registering as or otherwise representing themselves to be husband and wife in any such establishment shall, upon conviction thereof, be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court.

Section 8. Any person being the operator or keeper of any establishment within the meaning of this Act who shall knowingly permit any man or woman to occupy any room in any establishment within the meaning of this Act for any immoral purposes, or who shall knowingly permit any man or woman to falsely register as husband and wife in such an establishment, shall, upon conviction thereof, be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court.

Section 9. Any person who shall knowingly persuade, induce or entice, or cause to be persuaded, induced or enticed, any woman or girl to enter any establishment within the meaning of this Act for the purpose of prostitution or debauchery, or for any other immoral purpose, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned in the discretion of the court.

Section 10. In addition to the penalty herein prescribed for a violation of this Act, the court, before whom such person is tried and where a conviction is had, shall have the power to revoke the license to operate the establishments licensed under this Act, and whenever any person, firm or corporation has been so convicted, the court, if it shall appear that said premises were being operated in violation of the law with the knowledge, consent or approval of the owner thereof, shall have the authority to prohibit the issuance of any similar license for said premises to any person for a term of one year after the revocation of said license.

Section 11. The tax imposed by this Act shall be in addition to all other licenses and taxes levied by law upon the business taxed hereunder.

Section 12. Licenses issued under this Act shall be due in advance annually on or before the first day of June of each year, or at the date of engaging such business, and shall expire on the thirty-first

day of May of each year, and shall be for the full amount of the tax prescribed, regardless of the date such business is begun. Upon the expiration of the license herein required, it shall be unlawful for any person, firm or corporation to continue such business until a new license is applied for and obtained for the privilege of engaging in such business, as in this Act required.

Section 13. It shall be unlawful for any person, firm or corporation to engage in such business without first obtaining a license therefor. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned in the discretion of the court.

Section 14. Unless another penalty is in this Act or by the laws of this State provided, any person violating any of the provisions of this Act shall, upon conviction thereof, be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court.

Section 15. The governing body of any city or town shall have the authority to make any or all of the provisions of this Act applicable to any business as defined herein which may be located in the limits of any such city or town.

Section 16. The provisions of this Act shall be supplemental to and not in derogation of any of the provisions of the General, Civil, and Penal Laws now enforce relating to the licensing and regulating of tourist camps, dance halls, road houses and similar businesses.

Section 17. If any clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act.

Section 17-A. Upon application of any officer or citizen of the county wherein such establishment is located, the Superior Courts of the State of Georgia are hereby authorized to enjoin any licensee hereunder from further operating such business upon proof that such licensee has violated the provisions of this Act, or upon proof that the licensee has forfeited his license; and said Superior Courts, and the Judges thereof, shall likewise have authority to and shall enjoin, at the instance of any taxpayer or citizen, any person, firm, or corporation from further operating such business without first securing the license herein provided for.

Section 18. This Act shall be in full force and effect from and after June 1, 1945.

Section 19. All laws and clauses of laws in conflict with this Act are hereby repealed.

Approved March 8, 1945.

VITAL STATISTICS LAW

Act No. 311

An Act to provide a complete and comprehensive Vital Statistics Law for Georgia; providing the powers and duties of the State Board of Health and Division of Vital Statistics; to authorize the Director to appoint registrars and deputies; to provide their duties; to provide compulsory registration of births; to provide for the issuance of birth certificates; to require registration of foundlings; to require registration of deaths and stillbirths; to make certain medical reports and other information confidential; to make certificates filed under the provisions of this Act prima facie evidence of the facts stated therein; to authorize the issuance of certified copies of birth certificates under stated conditions, and to provide for the payment of fees for such certificates; to require certain persons to make records; to require granting of permit for removal, burial, or other disposition of dead body; to require a copy of each birth, death, or stillbirth certificate to be forwarded monthly to the county custodian of vital statistics records; to provide compensation for local registrars; to provide for disposition of fees received by the Department under this Act; to provide for the registration of marriage, together with a registration fee; to provide for registration of divorce and annulment of marriage, together with the registration fee; to provide penalties for the violation of this Act; to authorize reasonable rules and regulations to be promulgated; to repeal Chapter 88-11 and 88-12 of the Code of Georgia entitled "Vital Statistics" in its entirety, together with an amendment entitled "Adopted Children—Birth Certificates" approved March 20, 1943 (Ga. L. 1943, pp. 420-421). It is not the purpose to revive Section 14, subsection 2 of Georgia Laws 1941, pages 300 et seq., but the same is expressly repealed as set forth in the latter amendment; to repeal all conflicting laws; and for other purposes.

Section 1. The object and purpose of this Act is to make and provide a complete and comprehensive Vital Statistics Law for the State of Georgia and to repeal all laws or parts of laws in conflict

herewith; to expressly repeal Chapter 88-11 and 88-12 of the Code of Georgia, the same pertaining to "Vital Statistics;" to expressly repeal an Act entitled "Adopted Children—Birth Certificates" approved March 20, 1943; to expressly repeal subsection 2 of Section 14 of an Act approved March 27, 1941 (Ga. L. 1941, pp. 300-310); to repeal any law or laws in conflict with this Act.

Section 2. Definitions. As used in this Act:

(1) "Vital Statistics" includes the registration, preparation, transcription, collection, compilation, and preservation of data pertaining to births, adoptions, legitimations, deaths, stillbirths, marital status, and data incidental thereto.

(2) "Live Birth" means the birth of a child who shows evidence of life after the child is entirely outside the mother.

(3) "Stillbirth" means a birth after twenty weeks' gestation which is not a live birth.

(4) "Dead body" means lifeless human body or such parts of the human body or the bones thereof from the state of which it reasonably may be concluded that death recently occurred.

(5) "Person in charge of interment" means any person who places or causes to be placed a stillborn child or dead body in a grave, vault, or other receptacle or otherwise disposes thereof.

(6) "Physician" means a person legally authorized to practice medicine in this State.

(7) "Board" means State Board of Health.

(8) "Department" means Department of Public Health.

(9) "Director" means Director of the Department of Public Health.

Section 3. Duties of the State Board of Health. The State Board of Health shall:

(1) Establish a Division of Vital Statistics with suitable offices properly equipped for the preservation of its official records.

(2) Install a state-wide system of vital statistics.

(3) Make and may amend necessary regulations, give instructions and prescribe forms for collecting, transcribing, compiling, and preserving vital statistics.

(4) Enforce this Act and the regulations made pursuant thereto.

Section 4. The regulations of the Board shall take effect after passage and approval by the Board.

Section 5. **Registration Districts.** The Board shall divide the State from time to time into registration districts which shall conform to political subdivisions, or combinations thereof, or of parts thereof. Any city with an organized Health Department shall be considered a political subdivision for purposes of registration of vital statistics.

Section 6. **Local Registrars and Deputies.** The Director shall appoint registrars. A local registrar shall be Justice of the Peace, or Ex-officio Justice, or any person selected by the Director. A local Registrar, subject to approval of the Director, shall appoint a deputy or deputies. The local registrar shall immediately report to the Department violations of this Act or the regulations of the Board.

Section 7. The Local Registrar or his deputy shall not issue certified copies of any vital statistics records in his possession. All such records shall be deemed to be the property of the Georgia Department of Public Health.

Section 8. **Compulsory Registration of Births.** Within the time prescribed by the Board, a certificate of every birth shall be filed with the local registrar of the district in which the birth occurred; such certificate shall be filed by the father, or if the father is not available, by the mother, and, in the absence of both, by the next of kin or the person having custody of the child. A confidential medical report of each birth shall be made upon a form which shall be prescribed by the State Board of Health, which report shall be filed by the physician, midwife, or other legally authorized person in attendance at the birth, with the State Department of Public Health, which report shall be used for statistical and public health purposes only.

Section 9. **Supplemental Report of Name.** In the event the child has not been named at the time the certificate is filed, the local registrar shall deliver to the parents a blank for the supplemental report of the given name of the child, which shall be filled out and returned to the local registrar as soon as the child shall have been named and shall be forwarded to the State Department of Public Health with his regular report.

Section 10. **Adoptions.** In case of adoption of a person born in the State of Georgia it shall be the duty of the clerk of the superior court to forward by the fifteenth of the following month a certified copy of the adoption proceedings to the Division of Vital Statistics

of the Georgia Department of Public Health. The Division upon receipt of the certified copy of the adoption proceedings and upon request of the adopting parents shall prepare a substitute certificate on a form prescribed by the State Board of Health in the name of the adopted person, naming the true date and place of birth and sex of said adopted person and statistical particulars and names of the foster parents in place of natural parents. The Division shall make a substitute birth certificate if furnished with a certified copy of the order of adoption for any birth certificate in its custody. If no birth certificate is found to be on file for the adopted person and if such person was born in the State of Georgia, a delayed birth certificate shall be executed according to the provisions of Section 23. The Division of Vital Statistics shall send a copy of the substitute record to the official responsible for the maintenance of county and/or city vital statistics records as the Board may direct, and such official shall substitute said substitute record for the certificate on file in his office. The copies of the original county birth record shall then be forwarded to the Division of Vital Statistics to be sealed with the original record in the files of the Division of Vital Statistics. Such sealed records may be opened by the Division of Vital Statistics only upon demand of the adopted person, if of age, or by order of a court of competent jurisdiction. Upon receipt of a certified copy of a court order of annulment of adoption, the Division of Vital Statistics shall restore the original certificate to its original place in the files.

Section 11. Birth Certificate of Illegitimate Child. If the child is illegitimate, the name of the putative father shall not be entered without his consent in writing.

Section 12. Amendment of Certificates. No certificate accepted for filing by the Department shall be altered in any manner nor shall any certificate be amended except by order of the Court of Ordinary of the county of birth or residence of the child. The Board shall provide the forms and prescribe by regulation the minimum evidence requirements for amending such certificates. The ordinary shall receive a fee of \$1 for this order to be paid by the applicant.

Section 13. Registration of Foundlings—Foundling Report. Whoever assumes the custody of a foundling child of unknown parentage shall file immediately with the local registrar of the district a certificate upon a form to be prescribed by the Board, which certificate shall be acceptable for all purposes in lieu of a birth certificate. If the child is identified and a regular birth certificate is found or ob-

tained, the foundling certificate shall be sealed and filed and may be opened only upon court order.

Section 14. Registration of Deaths and Stillbirths. The person in charge of interment shall be responsible for obtaining and filing, within the time prescribed by the Board with the local registrar of the district within which the death or stillbirth occurred or the body was found, a certificate of death or stillbirth, upon a form to be prescribed by the Board.

Section 15. Compulsory Registration of Deaths and Stillbirths. A certificate of every death or stillbirth shall be filed with the local registrar of the registration district within which the death or stillbirth occurred, within the time prescribed by the Board, or, if the place of death or stillbirth is unknown, then with the local registrar of the district in which the body is found.

Section 16. Death Certificates.

(1) The person in charge of interment shall file, with the local registrar of the district in which the death occurred or the body was found, a certificate of death within the time prescribed by the Board.

(2) In preparing a certificate of death, the person in charge of interment shall obtain and enter on the certificate the personal data required by the Board from the persons best qualified to supply them. He shall present the certificate of death to the physician last in attendance upon the deceased or to the coroner having jurisdiction who shall thereupon certify the cause of death according to his best knowledge and belief.

(3) Thereupon the person in charge of interment shall notify the appropriate local registrar.

(4) Deaths from criminal violence, or by a casualty, or by suicide, or suddenly while in apparent health, or when unattended by a physician, or in any suspicious or unusual manner, shall be reported forthwith to the county coroner, who shall execute a certificate of death upon a form prescribed by the Board.

Section 17. Stillbirth Certificates. In the filing of certificates for medically attended stillbirths, the procedure provided in Section 15 for filing death certificates shall be followed: Stillbirths without medical attendance shall be referred to the county or city health officer or, if there is no health officer to the coroner, who shall execute the stillbirth certificate. The form of stillbirth certificate shall be prescribed by the Board.

Section 18. Certificates as Evidence. Certificates filed under the provisions of this Act shall be prima facie evidence of the facts stated therein.

Section 19. Certified Copies—Birth Certificates. Certified copies of birth records containing complete information shall be issued only by the Department, by the ordinary, or by the city or county health officer designated as custodian of local vital statistics records when requested to do so by any of the following:

- (1) The person whose record of birth is registered, if of age.
- (2) Either parent of the person whose record of birth is registered.
- (3) The legal representative of the person whose record of birth is registered.
- (4) Order of any Court of Record.
- (5) Any governmental agency, State or Federal, provided such certificate shall be supplied without cost to the State.

Section 20. Certified Copies.

(1) Subject to the provisions of Sections 19 and 24, the Department or ordinary or other custodian of vital statistics records shall, upon request, issue to any applicant a certified copy of any certificate or any part thereof.

(2) Certified copies of the contents of any certificate on file in the Department or any part thereof, certified by the Director or his deputy appointed for this purpose, shall be considered for all purposes the same as the original.

Section 21. Fees for Certified Copies. For certified copies, certifications, and verifications of information from the records filed under this Act, fees shall be collected as follows:

- (1) Full certified copies—\$1.
- (2) Short forms—issues under provisions of an Act approved March 11, 1943 (Ga. L. 1943, pages 428-429)—50c.
- (3) Verifications of Information on file. Such verifications being limited to such Governmental and private agencies as may be determined by the Board—25c.

Section 22. Disposition of Fees. Be it further enacted that all fees received by the Department for certified copies, certifications, verifications, marriage reports, and divorce reports as provided in this

Act shall be placed in a special fund, the same being hereby appropriated to the Department of Public Health for the purposes of the enforcement of this Act, the Board being hereby authorized to use such sums as are necessary from this fund for supervision and general expenses of the Department of Public Health and to expend the remainder of said moneys so collected to enforce the provisions of this Act.

Section 23. Delayed Certificates. The Board shall establish regulations and forms for the issuance of delayed birth certificates to persons born in the State for whom no birth certificate has previously been filed.

Section 24. Disclosure of Records.

(1) The records and files of the Division of Vital Statistics and other vital statistics records are open to inspection, subject to the provisions of this Act and the regulations of the Board; but, it is unlawful for any officer or employee of the Board to disclose data contained in vital statistics records, except as authorized by this Act and by the Board.

(2) Disclosure of illegitimacy of birth or of information from which it may be ascertained may be made only upon order of a court in case where such information is necessary for the determination of personal or property rights and then only for such purposes.

(3) The Department shall not permit the inspection of vital statistics records or issue a certified copy of a certificate or part thereof unless they are satisfied that the applicant therefor has a direct and tangible interest in the matter recorded. The decision of the Department shall be subject to review by the Board of court under the limitations of this Act.

(4) The Board may permit the use of data contained in vital statistics records for research purposes, subject to such regulations and under such supervision as the Board may direct.

(5) Subject to the provisions of this section, the Director may direct the Division of Vital Statistics to make a return upon the filing with them of birth, death, and stillbirth certificates and of certain data shown thereon to federal, state, county, or municipal agencies.

Section 25. Legitimation. In cases of legitimation, the Division of Vital Statistics, upon proof thereof, shall prepare a new certificate of birth in the new name of the legitimated child. The evidence upon

which the new certificate is made and the original certificate shall be sealed and filed and may be opened only upon order of court.

Section 26. Persons Required to Make Records. Persons in charge of institutions for care or correction or for treatment of disease, injury, or childbirth shall record and report all statistical data required by this Act relating to their inmates or patients.

Section 27. Permit for Removal, Burial, or Other Disposition. When a death or stillbirth occurs or a dead body is found, the body shall not be disposed of or removed from the registration districts until a permit has been issued by the local registrar or the Department. In rural sections of Georgia the time for filing permits for burial or death certificates shall be extended to six (6) days provided the death is of an infant under the age of two (2) weeks.

Section 28. Prerequisites for Permit. No permit under Section 27 shall be issued until a certificate of death or stillbirth, as far as it can be completed under the circumstances of the case, has been filed and until all the regulations of the Board in respect to the issuance of such permit have been complied with.

Section 29. Foreign Permit for Removal, Burial, or Other Disposition of Body. When death or stillbirth occurs outside this State and the body is accompanied by a permit for burial, removal, or other disposition issued in accordance with the law and regulations in force where the stillbirth or death occurred, the permit shall authorize the transportation into or through this State; but, before the burial, cremation, or other disposal of the body within the State, the permit shall be endorsed by the local registrar who shall keep a record thereof.

Section 30. Transmittal of Certificates to Department. Local registrars shall transmit all original certificates and confidential medical reports filed with them to the Department in accordance with regulations of the Board.

Section 31. Local Record. The Department shall prepare a copy of each birth, death, or stillbirth certificate and forward monthly to the ordinary or other designated custodian of vital statistics records, to provide the local record of vital statistics and to such officials as the Board may direct.

Section 32. Compensation of Local Registrars. Each local registrar shall be paid the sum of 50 cents for each complete birth, stillbirth, or death certificate returned by him to the Department in

accordance with the provisions of this Act and the regulations of the Board. In case no birth, death, or stillbirth was registered during any calendar month, the local registrar shall so report and be paid the sum of 25 cents for the report.

Section 33. Payment of Fees. Upon certification by the Department, the fees of local registrars shall be paid by the treasurer of the proper county out of the general fund of the county. The Department shall certify monthly to the Treasurer of each county the number of births, stillbirths, and deaths received from each registrar with the amount due each. The ordinary, the county or city health officer, as the case may be, shall be paid a fee of 25 cents for each birth, stillbirth, and death certificate properly filed and indexed by him, said fee to be paid from county funds by the county treasurer.

Section 34. Registration of Marriage. Each official authorized by law to issue marriage licenses and file marriage certificates shall forward to the Department, within the time prescribed by the Board, a certificate of such information concerning the marriage as the Board may direct, upon a form provided by the Board.

Section 35. Marriage Registration Fee. Every official authorized to issue marriage licenses shall collect from the applicant, at the time of issuance of each license in addition to other fees prescribed by law, a marriage registration fee of \$1, of which the sum of 50 cents shall accompany each certificate forwarded to the Department in accordance with the provisions of Section 34, of this Act, retaining the sum of 50 cents as a fee for performing the service herein provided.

Section 36. Registration of Divorces and Annulments of Marriage. For each divorce or annulment of marriage decreed in this State, the Clerk of the court shall forward to the Department, within the time prescribed by the Board, a certificate of such information concerning the proceeding as may be required by the Board, upon a form which shall be provided by the Board.

Section 37. Divorce or Annulment Registration Fee. For every final decree of divorce or annulment of marriage granted, there shall be collected, in addition to the court costs, a registration fee of \$1, of which the sum of 50 cents shall accompany each certificate forwarded to the Department in accordance with the provisions of Section 36 of this Act, the clerk of the court to retain the sum of 50 cents as a fee for performing the services herein provided.

Section 38. Penalties.

(1) Any person who wilfully makes or alters any certificate or certified copy thereof provided for in this Act, except in accordance with the provisions of this Act, shall be fined not more than \$1,000 or be imprisoned not exceeding six months, or both fined and imprisoned.

(2) Any person who knowingly transports or accepts for transportation, interment, or other disposition of a dead body without an accompanying permit issued in accordance with this Act, shall be fined not more than \$25.

(3) Except where a different penalty is provided in this section, any person who violates any of the provisions of this Act or neglects or refuses to perform any of the duties imposed upon him by this Act, shall be fined not more than \$25.

Section 39. Severability. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 40. Repeal. Any and all acts and parts of acts which are inconsistent with the provisions of this Act are hereby repealed.

Approved March 8, 1945.

